

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION

KATRINA MACKLEY,

Case No. 1:24-cv-76

Plaintiff,

v.

HON. ROBERT J. JONKER

MASON PUBLIC SCHOOL

DISTRICT et al.,

Defendants.

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**ORDER**

At the second Rule 16 conference in this case, about a month ago, the Court ordered the parties to engage in VFM as their ADR method in this case. (ECF No. 77). The Court thought the parties were on board with that. But they did not select a mediator from the Court's list, as directed by the Court's ADR Administrator. When the parties did not make a selection within the time provided, the Court's Administrator made the selection for the parties, as provided in the Court's Program Description. (ECF No. 81). The parties then moved jointly to set aside the Court's selection so they could proceed with their chosen mediator, who is not on the Court's list. (ECF No. 82).

The Court has no problem with the parties engaging in a private mediation with a mediator of their choice, rather than under the Court's own VFM program. The Court will not administer or enforce a private mediation, however. The Court may also elect to impose a court-supervised ADR process of its own if the parties' private mediation does not result in a resolution.

Accordingly, the Court will modify the Second CMO to remove a requirement for Court supervised VFM, and to indicate, instead, that the Court will determine an ADR method, if one is still needed, after the parties complete a private mediation, currently scheduled for July 16, 2025.

IT IS SO ORDERED.

Dated: June 16, 2025

/s/ Robert J. Jonker

ROBERT J. JONKER

UNITED STATES DISTRICT JUDGE